

coupled with the king's repressive actions since February 1, have contributed to a political crisis that threatens not only the future of democracy but the monarchy itself.

Economic aid to support health, agriculture, hydropower, and other programs through nongovernmental organizations is not affected by my amendment. If the situation changes and the Secretary of State certifies that the conditions in U.S. law have been met, military aid can resume. But that alone will not solve the Maoist problem. The Maoists are expert at intimidating the civilian population and carrying out surprise attacks and melting back into the mountains. While they do not have the strength to defeat the army, neither can they be defeated militarily.

The only feasible solution is through a democratic political process that has the broad support of the Nepalese people. Perhaps seeking to placate his critics, the king, without consulting the political opposition parties, announced municipal elections for February 8, 2006. Not surprisingly, the parties say they will not participate in an electoral process dictated by the palace and when the army and the king's handpicked representatives have taken control of local affairs and are unlikely to relinquish power.

The U.S. Embassy is skeptical of the Maoists' intentions and has publicly discouraged the political parties from forging an agreement with the Maoists. This is understandable, since the Maoists have used barbaric tactics that should be universally condemned. But this conflict cannot be won militarily and the king has rejected a political accommodation with the country's democratic forces. He is imposing new restrictions on the media and civil society, and he has spumed offers by the international community to mediate. Nepal's younger generation, who see no role for the monarchy in Nepal's future, are taking to the streets. It may not be long before the army is faced with a fateful choice. Will it continue to side with the palace even if it means turning its weapons on prodemocracy protesters and facing international censure, or will it cast its lot with the people?

It is a choice that we may also have to make. For the better part of a year, the United States and others friends of Nepal, as well as many brave Nepalese citizens, have tried to nudge the king back toward democracy. It has not worked. With the king increasingly imperious and isolated and the political parties already making overtures to the Maoists, what is to be lost by calling for the Maoists to extend the ceasefire, for the army to reciprocate, for international monitors to verify compliance, and for representatives of all sectors of society who support a democratic, peaceful Nepal to sit down at the negotiating table?

There are no guarantees, but it would test the Maoists' intentions and it

might create an opening for agreement on a democratic process, with the support of international mediation, that can finally begin to address the poverty, corruption, discrimination and other social ills that have fueled the conflict. The people of Nepal, who for generations have suffered far more than their share of hardship and injustice, deserve no less.

MEDICARE PRESCRIPTION DRUG BENEFIT

Mrs. BOXER. Mr. President, last Tuesday the open enrollment period for the Medicare Part D prescription drug program began. This program has been praised by the administration as a great benefit for seniors, but I can tell you that seniors are not so sure. According to a survey conducted by the Kaiser Family Foundation, only 20 percent say they will sign up. Over one-third say they won't, and the rest don't know what they are going to do.

One thing we do know for sure is that seniors are confused and scared. I have received over 4,000 letters from them telling me so. And why wouldn't they be. They have a series of complicated decisions to make.

First, they have to decide whether they want drug coverage. Do they already have drug coverage that is better or just as good as what is offered under the plan? And if they don't, do the costs of the plan exceed the benefits? And what will happen in the future? Should they sign up now to avoid the penalty for signing up late?

Second, if they do decide to join the program, what plan do they choose? In California, 18 companies are providing 47 stand-alone prescription drug plans. These plans all have different premiums, copays, and lists of drugs they will cover. For those in managed care plans, if they choose one of the stand-alone drug plans instead of their managed care plan, they will lose their health coverage.

In addition, seniors must make sure that their neighborhood pharmacy accepts the plan. Otherwise, they will end up having to find a new pharmacy that is probably less convenient. And after all that, any plan can—on 60 days notice—change the list of drugs it covers. Seniors, however, can change their plans only once a year.

If seniors do choose to participate, the benefit itself is meager. There is a large coverage gap—the so-called donut hole—so seniors must pay 100 percent of drug costs once they spend \$2,250 and before they spend \$5,100. Moreover, there is nothing in the program that will actually lower the cost of prescription drugs, and, in fact, Medicare is expressly prohibited from negotiating for lower prices.

Mr. President, the seniors who are the sickest and poorest have the most to lose with this new program. Those 6.1 million seniors are eligible for both Medicaid and Medicare. They are known as dual eligibles. Currently,

State Medicaid programs cover their drug costs, but as of January 1, they will be switched to the less generous Medicare program, and the States will be prohibited from using Medicaid to provide better coverage.

We need to make changes to the program now so that our seniors do not suffer. That is why I am a proud cosponsor of several bills that will change the harshest parts of this program. We must allow Medicare to negotiate on behalf of seniors for lower drug prices. We must allow States to use Medicaid to improve the drug coverage of the sickest and poorest seniors. We must end the coverage gap for all seniors. We must allow seniors more time to understand the program before they are required to enroll.

Mr. President, these changes are needed—and needed now. Without them, the promise of a Medicare prescription drug benefit may turn out to be a hollow one.

THE 30TH ANNIVERSARY OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

Mr. KENNEDY. Mr. Chairman, I was proud to serve on the Education Committee when it recommended the original Education for the All Handicapped Children Act in 1975, and I am proud to join Senator ENZI today as a sponsor of this resolution, which recognizes the major impact of the law on the lives of disabled children and their families across the Nation, by guaranteeing the right of every disabled child to a free public education.

We know that disabled does not mean unable. Children with disabilities have the same dreams as every other child in America to grow up and lead a happy and productive life. We know that IDEA helps them fulfill that dream.

It says children cannot be cast aside or locked away because they have a disability. Those days are gone in America—hopefully forever.

Children with disabilities have rights like every other child in America, including the right to learn with other children in public schools and prepare themselves for the future.

But even as we celebrate 30 years of continuing success in the education of disabled children, we continue to hear objections to the act's high cost, its paperwork, and the burden of litigation. Those are important considerations, but we can't let them overwhelm the vast benefit of IDEA.

The act is about disabled children and their rights. It is about their hopes and dreams of living independent and productive lives. It is about parents who love their children and struggle for them every day against a world that is too often inflexible and unwilling to meet their needs. It is about teachers who see the potential inside a disabled child, but don't have the support or training they need to fulfill it.

IDEA is our declaration as a nation that these children matter and that we